

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GABRIELA MARTINEZ,

Plaintiff,

-v.-

BANK OF AMERICA, N.A. and TRANS UNION, LLC,

Defendants.

24 Civ. 4534 (KPF)

**ORDER OF  
DISCONTINUANCE**

KATHERINE POLK FAILLA, District Judge:

By notice filed July 9, 2024, Plaintiff reported to the Court that she has reached a settlement in principal with Defendant Trans Union, LLC.

Accordingly, it is hereby:

ORDERED that this action be conditionally discontinued without prejudice and without costs as to Defendant Trans Union, LLC only; provided, however, that within forty-five (45) days of the date of this Order, the parties may submit to the Court their own Stipulation of Settlement and Dismissal for the Court to So Order. Otherwise, within such time Plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event that the settlement is not consummated. Upon such application for reinstatement, the parties shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket, and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within ten (10) days of the application, to schedule remaining pretrial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of

the action with prejudice in the event that Plaintiff has not requested restoration of the case to the active calendar within such 45-day period.

The Clerk of Court is directed to terminate Defendant Trans Union, LLC, as a party to this case.

SO ORDERED.

Dated: July 9, 2024  
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

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KATHERINE POLK FAILLA  
United States District Judge